**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| In re Application of:<br>Jeffery J. Sheldon | Group Art Unit: 3731 |
| Serial No.: 10/092,385 | Examiner: Erezo, Darwin P. |
| Filed: March 5, 2002 | Atty. Dkt. No.: IDEV:020US |
| For: Methods for Securing Strands of Woven Medical Devices and Devices Formed Thereby | |

**37 C.F.R. § 1.132 DECLARATION OF JEFFERY J. SHELDON**

I, Jeffery J. Sheldon, declare:

1. I am the inventor of this application.

2. I am a founder of IDev Technologies, Inc., a medical device company in Houston, Texas, focused on the design, development, manufacture and commercialization/sale of stents. Due to my relationship with IDev, I have a financial interest in the outcome of this patent application.

3. I have a B.S. in Aerospace Engineering and Mechanics, with distinction, from the University of Minnesota – Institute of Technology and an M.B.A. from the University of Houston-Clear Lake. I have worked in the medical and high technology fields for over nineteen years, the last eight years of which I spent at IDev. I am keenly aware of the complexities, nuisances, and challenges required to design and manufacture medical products and specifically stents.

4. I have reviewed the August 3, 2007 United State Patent and Trademark Office (USPTO) Office Action; the Goicoechea, Stinson, and The Ashley Book of Knots references it cites; and I

also participated on a teleconference with the USPTO Examiner - Darwin P. Erezo - on December 12, 2006.

5. I completely disagree with the positions taken by the USPTO in the Office Action.

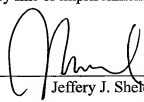
6. Suggesting that someone of average skill in the stent industry would look to the Goicoechea patent and re-design the stents it discloses to introduce crossed strands is absurd and would require an entirely new design that could only be accomplished by mandrel modifications; the introduction of additional wires; and a winding process change. That would be a significant departure from the design that is disclosed, which has no crossed strands (only adjacent apices from neighboring hoops).

7. As someone with at least average skill in the stent-making industry, I do not understand what the USPTO means by its justification that "tying a securing element between any strands will enhance the security of the tubular structure (stent)." I do not know what "security" within Goicoechea's stent design the USPTO is proposing to enhance, or why the USPTO believes any "security" is lacking with Goicoechea's design.

8. Goicoechea actually explains that it is not necessary to secure all of the juxtaposed apices together, so security (if that is what the Office means by it) is not an issue for Goicoechea. While the Stinson patent discloses tying radiopaque markers to crossed strands (col. 14, lines 39-45), the markers are there (according to Stinson) "to improve the radiopacity and the locatability of the endoprostheses in various medical procedures." Col. 2, lines 2-10. Stinson also advocates using as few as possible to a given endoprosthesis. Col. 14, lines 62-65. Nothing in Stinson suggests the markers improve the "security" (whatever the Office intends that to mean) of the disclosed endoprostheses or suggests that they would improve the "security" of other devices if used on them.

9. All statements made of my own knowledge are true and all statements made on information are believed to be true, and statements in this document were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of the United States Code.

1/21/08
Date



Jeffery J. Sheldon